

# **Strategic Environmental Assessment, Sustainability Appraisal and Habitats Regulation Assessment Screening Determination for Cuddington Parish Neighbourhood Plan**

Prepared on behalf of Cuddington Parish Neighbourhood Plan Steering Group by  
Cheshire West and Chester Council

**December 2017**

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Appendix 1: Overview of policies and identified effects of the Cuddington Parish Neighbourhood Plan

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## **1.0 Introduction**

- 1.1 In accordance with European Directive 2001/42/EC and the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), this document is the screening determination of the need for Strategic Environmental Assessment (SEA) for the Cuddington Parish Neighbourhood Plan. This document also sets out the decision on whether separate screening and a Habitats Regulations Assessment is required under European Directive 92/43/EEC and the Conservation of Habitats and Species Regulations 2010 (as amended).
- 1.2 Under the Environmental Assessment of Plans and Programmes Regulations 2004, the responsible authority (i.e. the Local Planning Authority) must carry out an environmental assessment for any plan or programme that is prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, which sets the framework for future development consents of projects listed in Annex I or II of Council Directive 83/337/EEC. It is likely that Development Plan Documents including neighbourhood plans contain planning policies that influence the above list of topics, and which will be used to determine planning applications. As such, they may require SEA.
- 1.3 However, the regulations state that an environmental assessment need not be carried out for a plan or programme which determines the use of a small area at a local level unless it has been determined that the plan is likely to have significant environmental effects.
- 1.4 The regulations advise that a screening process is used to determine whether or not a plan is likely to have a significant effect on the environment. This process should use a specified set of criteria (set out in Schedule 1 of the regulations). The results of this process must be summarised in a SEA screening opinion, which is then sent to the statutory consultation bodies for comment. Once comments have been taken into account a screening determination is prepared setting out whether SEA is required and reasons for the decision and this must be made publicly available.
- 1.5 An SEA screening opinion for the draft Cuddington Parish Neighbourhood Plan was produced in May 2017 which concluded that the draft Plan would not have any significant environmental effects and, as such, SEA would not be required. The statutory consultation bodies were consulted and responses were received from the Environment Agency, Natural England and Historic England, all of whom agreed with the outcome of the initial screening exercise (a summary of responses is provided at Appendix 2).

1.6 This screening exercise was based on the policies in the Regulation 14 plan. Although some of the policies have had minor wording changes since that consultation, the scope of the policies have broadly stayed the same. The screening exercise has been updated to reflect revisions to the plan, which are minor in nature and do not alter the conclusion that SEA is not required .

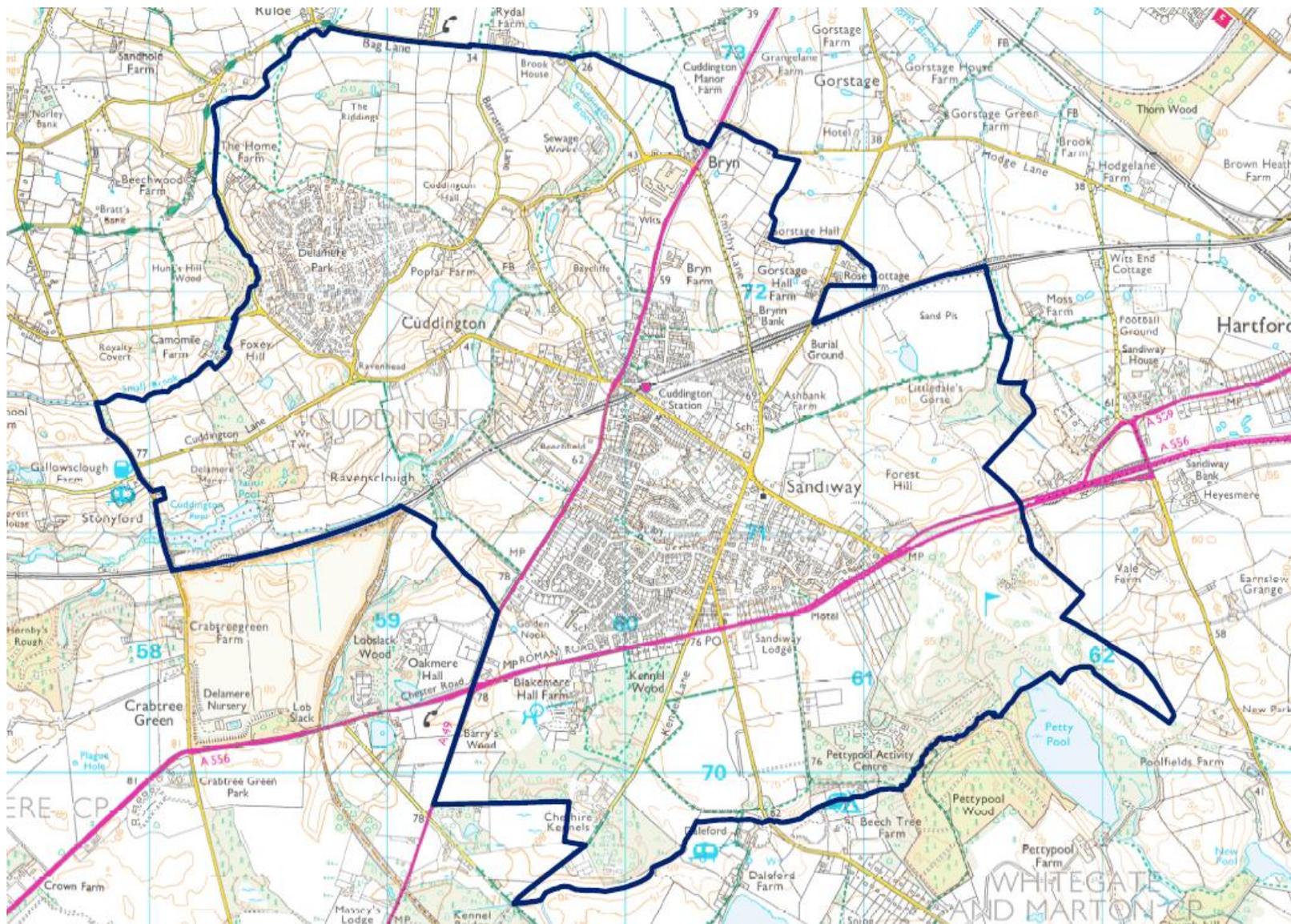
## **2.0 Cuddington Parish Neighbourhood Plan**

2.1 Cuddington Parish Neighbourhood Plan Area follows Cuddington Parish Council boundary. Within this boundary is the key service centre boundary of Cuddington and Sandiway, as defined in the Local Plan (Part One). The housing requirement set out in the Local Plan (Part One) policy STRAT 8 is 200 dwellings over the plan period.

2.2 Cuddington Parish is within the rural area, with the north of the key service centre being green belt and countryside to the south of the A556. Delamere Park is outside the key service centre and is located in green belt land to the north west of the key service centre. The key service centre contains many services and facilities to meet the day to day needs of the village, along with Cuddington train station. Blakemere village, located south of the A556, also holds a number of services and facilities.

2.3 Within the Neighbourhood Plan area there are a number of Special Areas of Conservation (SAC) and Ramsar sites.

Map 1: Cuddington Parish Neighbourhood Area



### **3.0 Relationship to other plans and programmes**

- 3.1 Policies in the Neighbourhood Plan will not operate in isolation. The plan must have regard to national policy; be in general conformity with the strategic policies in the adopted Local Plan; must contribute to the achievement of sustainable development and meet EU obligations and human rights requirements.
- 3.2 Once made the Neighbourhood Plan will form part of development plan for Cheshire West and Chester, alongside the adopted Local Plan policies.
- 3.3 The current adopted Local Plan for the area is Cheshire West and Chester Local Plan (Part One) Strategic Policies (adopted January 2015). This plan sets out the overall vision, strategic objectives, spatial strategy and strategic planning policies for the borough to 2030. Some of the policies in the Vale Royal Local Plan are retained alongside the Local Plan (Part One) until such time that they are replaced by the Local Plan (Part Two), which is currently being prepared.
- 3.4 The existing and emerging Local Plan policy framework forms the baseline for the SEA and HRA screening assessment. The assessment has considered the potential effects of the Neighbourhood Plan over and above the current adopted Local Plan (Part One).
- 3.5 The Cuddington Parish Neighbourhood Plan sets out a series of policies which cover the following areas:
  - Environment and Landscape
  - Economy and Retail
  - Housing and Design
  - Travel and Movement

## **4.0 Strategic Environmental Assessment Screening**

### **Legislative Background and Methodology**

- 4.1 European Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA Directive) to be carried out for certain plans and programmes to assess their effects on the environment. This Directive was transposed in law by the Environmental Assessment of Plans and Programmes Regulations 2004.
- 4.2 The Cuddington Parish Neighbourhood Plan falls within the scope of this legislation as Neighbourhood Plans are prepared for town and country planning or land use and will set the framework for future development consent of projects, in accordance with Part 2(2) of the regulations. However, Neighbourhood Plans are land use planning documents prepared at the local level to determine land use in a small area.
- 4.3 Under Article 3(3) of the SEA Directive and Part 2(6) of the Environmental Assessment of Plans and Programmes Regulations 2004, SEA is only required for documents that determine land use of a small area at local level and minor modifications to plans and programmes where it is considered that it is likely to have significant environmental effects.

### **Screening Methodology**

- 4.4 The role of the screening exercise is to determine whether the implementation of a plan or programme is likely to have a significant effect on the environment. The criteria for assessing whether a plan or programme is likely to have significant environmental effects are set out in Annex II of the SEA Directive and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004. The assessment criteria are separated into two categories:
- those relating to the characteristics of the plan; and
  - those relating to the characteristics of the plan's effects and of the area likely to be affected.
- 4.5 The assessment of the draft Neighbourhood Plan against the criteria relating to the characteristics of the plan is set out in Table 1 and the assessment against the criteria relating to the characteristics of the plan's effects and the area likely to be affected is set out in Table 2.
- 4.6 In order to assist with completion of Table 1, Table 2 and identification of the likely significance of effects, an assessment has been undertaken of each policy in the Neighbourhood Plan, its potential effects and its relationship to Local Plan (Part One) Strategic Policies. This helps to assess the impact that the Neighbourhood Plan will have above and beyond the impact of existing Local Plan policies. This assessment is set out in the table at Appendix 1.

## **Conclusion**

- 4.7 As a result of the screening assessment it is considered unlikely there will be any significant environmental effects arising from the Cuddington Parish Neighbourhood Plan.
- 4.8 A Strategic Environmental Assessment of the Cuddington Parish Neighbourhood Plan is not required.

**Table 1: Testing of Significant Effects**

	<b>Significance Test</b>
<p><b>The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.</b></p>	<p>The Neighbourhood Plan is a local level land use planning document to determine land use in a small area. Once made, it will work within the planning policy framework of the Local Plan for the borough.</p> <p>The Neighbourhood Plan will provide a local planning policy framework for Cuddington Parish that will become part of the development plan for Cheshire West and Chester. It is required to be in general conformity with the strategic policies of the adopted Local Plan. The Cuddington Parish Neighbourhood Plan will not impact on the strategic location, nature, size and operating conditions of new development over and above that set by adopted Local Plan for the borough. It will provide local level guidance within the strategic framework on the nature of development in the Cuddington Parish Neighbourhood Area. The Neighbourhood Plan policies will work alongside the strategic policies in the development plan; other development management measures and environmental protection legislation.</p>
<p><b>The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.</b></p>	<p>The Neighbourhood Plan will be the lowest level of planning policy for the area. It has to be in general conformity with the strategic policies of the adopted Local Plan and must contribute to the achievement of sustainable development. It will therefore have limited influence over changing the policies in plans at the higher strategic level.</p>
<p><b>The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,</b></p>	<p>The Neighbourhood Plan is required, as one of the basic condition tests, to contribute to the achievement of sustainable development. Whether this basic condition is met will be tested during the examination of the Neighbourhood Plan. However, the framework for the promotion of sustainable development is set by the Government's Strategy for Sustainable Development, the National Planning Policy Framework and the policies in the adopted Local Plan for the borough. The Neighbourhood Plan will have limited influence over changing the sustainable development policies in plans and policies at the higher strategic level.</p>
<p><b>What are the environmental problems relevant to the plan or programme?</b></p>	<p>The Sustainability Appraisal Scoping Report for the Local Plan (Part One) Strategic Policies is a comprehensive overview of the issues in Cheshire west and Chester. There are no specific additional environmental problems identified for the Cuddington Parish area.</p>
<p><b>The relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).</b></p>	<p>The Neighbourhood Plan will have no direct role in the delivery of community legislation on the environment. It does include policies on these matters. The Neighbourhood Plan has been subject to Habitats Regulation Assessment screening as set out in Part Two of this document.</p>

**Table 2: Characteristics of the plans effects**

<b>1. Characteristics of the plan's effects and of the area likely to be affected</b>										
Identified effects of the proposed policies	Probability, duration, frequency and reversibility of the effects	Cumulative nature of the effects	Trans-boundary nature of the effects <sup>1</sup>	Risks to human health or the environment (e.g. due to accidents)	Magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	Value and vulnerability of the area likely to be affected due to the effect on special natural characteristics or cultural heritage	Value and vulnerability of the area likely to be affected due to the effect on environmental quality standards or limit values	Value and vulnerability of the area likely to be affected due to the effect on intensity of land-use	Effects on areas or landscapes which have a recognised national, Community or international protection status	Significant environmental effect?
Protecting the landscape character and the loss of landscape features.	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Protecting the existing open space	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Encourage use of brownfield land	Low probability as small settlement size won't support a large number of businesses, and there is little identified need for new housing. Low frequency as few available sites. Impacts would be permanent and long-term.	Each new development has the potential to add to encouraging use of brownfield land. There is a potential small cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Protecting local character	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no negative impact on Conservation Area.	No

<sup>1</sup> The assessment here has considered whether the effect of the policy goes beyond the UK and impacts upon other EU territories. Given scale and nature of Neighbourhood Plan the effects are not considered to be transboundary.

Protect cultural heritage, heritage assets and conservation sites	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no negative impact on Conservation Area.	No
Protecting wildlife	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Protection and promotion of new green infrastructure and open space.	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Protection and enhancement of biodiversity and geodiversity	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Climate proofing the Parish	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Protecting existing trees and vegetation	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Protecting the openness of the green belt	Low probability as the settlement boundary is outside of the green belt. Low frequency as only limited development is expected within the greenbelt. Impacts would be permanent and long - term.	There is a potential small negative cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Positive impacts on human health, through recreation activities	Low probability as a small settlement with a number of recreation activities existing. Medium frequency as there is a number of recreation activities existing. Impacts would be permanent and long term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Directing development in the settlement boundary and reducing the need for cars	Low probability as the small settlement size won't accommodate large numbers of new housing and employment. Low frequency as few available sites. Impacts would be permanent and long-term.	Each new development has the potential to add to encouraging new, and retaining exiting employment opportunities. There is a potential small cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Support for the rural economy	Low probability as small settlement size won't support a large number of businesses. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	Each new development has the potential to add to encouraging new, and retaining exiting employment opportunities. There is a potential small cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Access to sustainable transport, goods and services in the settlement boundary	Low probability as the small settlement size won't accommodate large numbers of housing and employment. Low frequency as few available sites. Impacts would be permanent and long-term.	Each new development has the potential to add to encouraging new, and retaining exiting employment opportunities. There is a potential small cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Re-use of brownfield land	Low probability as small settlement size won't support a large number of businesses, and there is little identified need for new housing. Low frequency as few available sites. Impacts would be permanent and long-term.	Each new development has the potential to add to encouraging use of brownfield land. There is a potential small cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Protecting residential amenity	Low probability as the small settlement size won't accommodate large numbers of new housing and employment. Low frequency as few available sites. Impacts would be permanent and long-term.	Each new development has the potential to add to encouraging new, and retaining exiting employment opportunities. There is a potential small cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Meeting the affordable housing need and the number of new homes.	Medium probability as existing permissions means the area has nearly met its minimum housing target, however specialist needs are still likely to remain. Low frequency as limited demand and limited opportunities. Impacts would be permanent and long-term.	There is a potential positive cumulative effect of providing the needed housing in the parish. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Reduce the likelihood of flooding	Low probability as most of the settlement is no at risk of flooding. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Reducing air quality issues through the use of electric cars	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

Re-use of materials	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No
Reducing the causes of climate change	Low probability as unlikely to be a lot of new development. Low frequency as little demand and few opportunities. Impacts would be permanent and long-term.	There is a potential small positive cumulative effect. However, development contrary to these policies could have a large negative cumulative effect.	None	None	Local, small scale impact, at neighbourhood level.	None	None	None	None identified – see HRA screening and no impact on Conservation Area.	No

## **5.0 Habitats Regulations Assessment Screening**

### **Legislative Background**

- 5.1 The Conservation of Habitats and Species Regulations 2010 (as amended) transposed the requirements of the European Habitats Directive 92/43/EEC into UK law. The Habitats Directive and Regulations afford protection to plants, animals and habitats that are rare and vulnerable in a European context.
- 5.2 Habitats Regulations Assessment (HRA) is a systematic process through which the performance of a plan or project can be assessed for its likely impact on the integrity of a European Site. European Sites, also referred to as Natura 2000 sites, consist of Special Protection Areas (SPA), Special Areas of Conservation (SAC); Potential Special Protection Areas and candidate Special Areas of Conservation (pSPA and cSAC); and listed or proposed Ramsar sites.
- 5.3 Article 6(3) of the Habitats Directive states that any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans and projects, shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.
- 5.4 The first stage of HRA is to screen a plan or programme to identify if there are likely to be any significant effects on Natura 2000 sites. This will indicate whether a full Appropriate Assessment is required. The regulations require that the impacts and effects of any land use plan being assessed are considered in combination with other plans and projects that may also be affecting the relevant European site(s).

### **Inter-relationship with the Local Plan HRA**

- 5.5 The Cheshire West and Chester Local Plan (Part One) Strategic Policies has already been through the HRA process, and the results detailed in the Cheshire West and Chester Local Plan Publication Draft (Part 1) Strategic Policies Habitat Regulations Assessment Screening Report.
- 5.6 The HRA for the Local Plan (Part One) identified 12 sites to include within the HRA as set out in table 3 below.

**Table 3: Natura 2000 sites relevant to the Local Plan (Part One)**

<b>European site</b>	<b>Reason for inclusion</b>
Oak Mere SAC	Located within Cheshire West and Chester
Midlands Meres and Mosses Ramsar site	Located within Cheshire West and Chester
West Midlands Mosses SAC	Located partly within Cheshire West and Chester
River Dee and Bala Lake SAC	Identified as a source of potable water for Cheshire West and Chester and also the receiving watercourse for waste water treatment works discharge
Mersey Estuary SPA and Ramsar	Located partially within Cheshire West and Chester
Dee Estuary SAC SPA and Ramsar site	Downstream of the River Dee which is identified as a source of potable water for Cheshire West and Chester. Development in the Borough also creates potential water quality pathways.
Liverpool Bay SPA	Located immediately downstream of the Mersey Estuary. There is therefore a potential water quality pathway through sewage effluent discharges, air quality from transport plans, disturbance of birds and recreational pressure
Berwyn and South Clwyd Mountains SAC	Included at the request of Natural Resources Wales
Mersey Narrows and North Wirral Foreshore pRamsar and pSPA	Located within Merseyside downstream of the Mersey Estuary SPA/Ramsar site. There is a direct link to development in through water quality
Sefton Coast SAC	Located within Merseyside and linked to development in Cheshire West and Chester through recreational pressure and water quality
Ribble and Alt Estuaries SPA and Ramsar site	Located within Merseyside and is an indirect link to development in Cheshire West and Chester through water quality and recreational pressure
River Eden SAC	Haweswater Lake (to which the River is hydrologically connected) is likely to form part of the future water supply for Cheshire West and Chester.

The HRA undertaken for the Local Plan (Part One) forms the baseline for the HRA screening assessment of the Cuddington Parish Neighbourhood Plan. The main consideration is the potential effects of the Neighbourhood Plan over and above those already assessed for the Local Plan. The Local Plan was screened out through this process, as not leading to a likely significant effect on European Sites.

It is considered that as long as the proposed policies of a Neighbourhood Plan do not alter the strategic policy framework assessed in the Local Plan (Part One) Habitats Regulation Assessment Screening Report then an additional separate full screening exercise on the Neighbourhood Plan will not be required. However, if the Neighbourhood Plan does change the strategic policy framework then a separate Habitats Regulation Assessment Screening Report to assess the effect on European Sites would be required.

Whether the Neighbourhood Plan alters the policy position for the area is set out in Table 4 below.

**Table 4: Screening of policies for altering Local Plan Policy**

<b>Policy</b>	<b>Change in policy position in emerging Local Plan and policies to be retained? Y/N</b>
Policy 1 – Landscape Setting	N
Policy 2 – Settlement ‘Gateways’	N
Policy 3 – Local Heritage Assets	N
Policy 4 – Habitats and Wildlife Corridors	N
Policy 5 – Protecting Trees, Hedgerows and Vegetation	N
Policy 6 – Local Green Space	N
Policy 7 – Open Countryside	N
Policy 8 – Views and Vistas	N
Policy 9 – Employment Development	N
Policy 10 – Retail Development	N
Policy 11 – Working from Home	N
Policy 12 – Tourism	N
Policy 13 – Blakemere Village	N
Policy 14 – Housing Mix and Type	N
Policy 15 – Affordable Housing	N
Policy 16 – Location of Dwellings	N
Policy 17 – Design for New Development	N
Policy 18 – Eco–design and Energy Saving	N
Policy 19 – Improved Pedestrian, Cycle and Public Transport Access	N
Policy 20 – Parking Standards	N
Policy 21 – Traffic Impact of New Development	N

## Context

There are five European designated sites identified within a 15km buffer from the boundaries of the Cuddington Parish Neighbourhood Plan. There are two Ramsar sites, three SAC's, and no SPA's. Both Ramsar designations are split over a number of smaller sites.

These are shown in Map 2.

## Outcome of high level screening

1. Is the Neighbourhood Plan directly connected with, or necessary to the management of a European site for nature conservation?

No

2. Does the Neighbourhood Plan propose new development or allocate sites for development?

No

3. Are there any other projects or plans that together with the Neighbourhood Plan that could impact on the integrity of a European Site?

No, the Cheshire West and Chester Local Plan (Part One) Strategic Policies and the retained policies in the Vale Royal Local Plan are relevant plans, but the HRA of the Cheshire West and Chester Local Plan (Part One) identified that it could be screened out as not leading to a likely significant effect on European sites.

4. Are there any potential impacts on the integrity of a European Site?

The Neighbourhood Plan will not work in isolation and will be used alongside other development plan policies including the Local Plan (Part One) and retained policies in the Chester District Local Plan for determining planning applications for new development. The quantum of development to come forward in No Mans Heath and District in the future will be set by Local Plan policy. The Neighbourhood Plan will guide how this should come forward locally.

There are no specific issues highlighted in the HRA of the emerging Local Plan in relation to Cuddington Parish, although there are other more general potential impacts highlighted as a result of the quantum and location of development proposed for the borough as a whole in the Local Plan (Part One). However, it is considered there are sufficient mitigation and control measures in the policy framework of the Local Plan (Part One) to avoid and mitigate any of these adverse effects on the integrity of European in the emerging Local Plan.

Therefore, it is considered that any proposals coming forward for Cuddington Parish in accordance with the Neighbourhood Plan would not result in a likely significant

effect on a European site than already identified and assessed through the Local Plan (Part One) Habitats Regulation Assessment Report.

### **Conclusion**

The Screening determination made by Cheshire West and Chester Council is that the Cuddington Parish Neighbourhood Plan is unlikely to have an adverse effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2010 (d), alone or in combination with other plans and projects. As such, a separate full screening exercise and Habitats Regulations Assessment are not considered to be required.



## Appendix 1: Overview of Policies and Identified Effects of the Cuddington Parish Neighbourhood Plan.

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies
<b>Policy 1 – Landscape Setting</b>	The policy seeks to protect and enhance the landscape setting. New development must respect and reflect the historic rural landscape and refer to the design principles in the character assessment. Applications that will lead to the loss of landscape will be resisted. Development should be prioritised to brownfield land.	<ul style="list-style-type: none"> <li>• Protecting the existing open space</li> <li>• Encourage use of brownfield land</li> <li>• Protecting local character</li> <li>• Resisting the loss of landscape features</li> </ul>	The Local Plan (Part One) policy STRAT 2 encourages the use and redevelopment of previously developed land in sustainable location. Policy ENV 2 enforces the protection and, where possible enhancement of landscape character. It requires development to take full account of the characteristics of the development site, its relationship with its surroundings and where appropriate views into, over and out of the site.
<b>Policy 2 – Settlement ‘Gateways’</b>	The policy seeks to protect and enhance the character of defined gateways, which are main vehicle entrances to the defined settlement. This includes architectural design, landscape treatment and materials used.	<ul style="list-style-type: none"> <li>• Protecting local character</li> <li>• Design of materials, landscape treatments and materials</li> <li>• Protecting the landscape character</li> </ul>	Local Plan (Part One) policy ENV 6 promotes high quality design and development that respects the rural character, achieving a sense of place through layout and design.
<b>Policy 3 – Local Heritage Assets</b>	Protect and enhance both designated and non-designated heritage assets, which are designated in the plan. The plan will be positive about schemes that protect and enhance heritage assets and conservation sites.	<ul style="list-style-type: none"> <li>• Protect and enhance heritage assets and conservation sites</li> <li>• Protect cultural heritage</li> <li>• Protect local character</li> </ul>	Local Plan (Part One) policy ENV 5 seeks to protect and enhance the designated and non-designated heritage assets and their setting.

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies
<b>Policy 4 – Habitats and Wildlife Corridors</b>	Promoting preservation and enhancement of wildlife habitats, wildlife corridors and green infrastructure. Any development that will have a significant negative impact on these features will not be permitted. New development must not create divisions between wildlife corridors and contribute to the creation of new. Areas have been designated for protection.	<ul style="list-style-type: none"> <li>• Protection and enhancement of biodiversity and geodiversity</li> <li>• Protection and promotion of new green infrastructure</li> <li>• Protecting wildlife</li> </ul>	Local Plan (Part One) policy ENV 3 supports the creation, enhancement and protection of a green network. Policy ENV 4 safeguards and enhances biodiversity and geodiversity, including sites and/or features of international, national and local importance.
<b>Policy 5 – Protecting Trees, Hedgerows &amp; Vegetation</b>	The policy aims to retain existing hedgerows, trees and vegetation and expects replacement for any losses. Replacement should be a local species unless otherwise agreed. Landscape plans should be submitted to support the local character and should contain information regarding long term management and maintenance.	<ul style="list-style-type: none"> <li>• Protecting existing trees and vegetation</li> <li>• Climate proofing the Parish</li> <li>• Protecting wildlife and geodiversity</li> <li>• Protecting landscape and townscape</li> <li>• Protecting local character</li> </ul>	Local plan (Part One) policy ENV 3 promotes increase planting of trees and woodlands. Policy ENV 2 requires development to recognise, retain and incorporate features of landscape quality into the design, taking full account of the characteristics of the development site.
<b>Policy 6 – Local Green Space</b>	The policy identifies local green space designations, protecting their character and value to the community.	<ul style="list-style-type: none"> <li>• Protecting existing open space</li> </ul>	Local Plan (Part One) policy ENV 2 supports the designations of local green spaces.
<b>Policy 7 – Open Countryside</b>	The policy states that small scale development will be allowed in the countryside for recreation and agriculture only that doesn't have adverse impact on	<ul style="list-style-type: none"> <li>• Protecting the openness of the green belt</li> <li>• Protecting the landscape and cultural heritage</li> <li>• Positive impacts on human health,</li> </ul>	Local Plan (Part One) policy STRAT 9 considered green belt and countryside. The policy protects the countryside whilst allowing for development that requires a

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies
	the character of the countryside or residential amenity. The plan safeguards land designated as countryside for small scale, low key recreation activities or agricultural purposes. Design principles set out in the Local Plan and character assessment for the area. The southern boundary of the settlement boundary should not be undermined and green belt land should be considered against the Local Plan policy.	<p>through recreation activities</p> <ul style="list-style-type: none"> <li>• Protecting the air quality by concentrating development in the settlement boundary</li> <li>• Small scale development in the countryside could impact biodiversity or geodiversity</li> </ul>	countryside location that cannot be accommodated within identified settlements.
<b>Policy 8 – Views and Vistas</b>	No development should have a negative impact upon the townscape or landscape. The proposed development will be required to reinforce existing townscapes, retain and frame landscape views and reflect the local character through design.	<ul style="list-style-type: none"> <li>• Protecting landscape and cultural heritage</li> <li>• Protecting and enhancing the local character</li> <li>• Protecting views</li> <li>• Appropriate design</li> </ul>	Local Plan (Part One) policy ENV 2 requires development to take full account of the characteristics of the development site, including the appropriate views into, over and out of the site.
<b>Policy 9 – Employment Development</b>	The policy allows for creation of new small scale A2 and B1 uses and expansion of existing employment sites within the settlement boundary or on previously developed land. Applications will need to demonstrate how development will contribute the neighbourhood plan vision of creating a vibrant and viable rural economy. Criteria that needs to be	<ul style="list-style-type: none"> <li>• Support for the rural economy</li> <li>• Access to sustainable transport in the settlement boundary</li> <li>• Re-use of brownfield land</li> <li>• Protecting open space and green infrastructure</li> <li>• Protecting residential amenity</li> <li>• Protecting local character</li> </ul>	Local Plan (Part One) policy ECON 1 promotes economic development, allowing existing businesses to expand and attracting inwards investment in sustainable locations. Policy ECON 2 directs retail development to local retail centres.

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies
	demonstrated is no impact on residential amenity, not result in a net loss of open space or green infrastructure, provide suitable parking and not impact negatively on highways and high quality design that considers the local character.		
<b>Policy 10 – Retail Development</b>	The policy allows creation of new and expansion of retail uses (A1-A5) within or the local retail centre boundary. Development will be subject of the criteria in Policy 9 i.e. not impact on residential amenity, no result of net loss of open space or green infrastructure, provide suitable parking and not negatively impact on highways and high quality design and local character. The loss of retail through conversion or redevelopment will be resisted unless it can be demonstrated that there is no viable future use for A class use.	<ul style="list-style-type: none"> <li>• Supports the rural economy</li> <li>• Allows goods and services to be clustered together in sustainable locations</li> <li>• Protection of open space</li> <li>• Protection of residential amenity</li> <li>• Protection of local character</li> </ul>	Local Plan (Part One) policy ECON 2 promotes town centre first approach, directing retail development to centres in line with the retail hierarchy. The policy gives direction for out of centre retail development.

Policy reference	Summary of policy	Identified potential effects of policy (taking into account SEA topics of biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage and landscape).	Relationship to Local Plan (Part One) Strategic Policies
<b>Policy 11 – Working from home</b>	The policy states that conversion or expansion of an existing dwelling to facilitate home working will be allowed providing it doesn't impact on the residential amenity of neighbouring properties and conditions may be used limiting the number of vehicles and times of operation. Applications will not be permitted where a loss of parking will lead to unacceptable impact on the operation or safety of the highway. The plan supports delivery of high speed broadband.	<ul style="list-style-type: none"> <li>• Contribute to the sustainable settlement and reduce the need to travel</li> <li>• Protecting residential amenity</li> <li>• Contribute to the rural economy</li> </ul>	Local Plan (Part One) policy STRAT 1 promotes sustainable development, including reducing the need to travel. Policy SOC 5 protects residential amenity from significant adverse impacts. Policy STRAT 10 promotes accessibility to jobs and key services. Policy ECON 1 supports new job opportunities in sustainable locations.
<b>Policy 12 – Tourism</b>	The policy allows for improvements to existing and new tourism sites provided they are of an appropriate design and sensitive to the context of proposed structures, layout, visual impact, access and will be subject to greenbelt and countryside policies. Creation of new tourism uses will be expected within the key service centre, re-use of brownfield land or the small scale diversification of farms. Impacts of one off or seasonal tourism proposals should be considered.	<ul style="list-style-type: none"> <li>• Could impact biodiversity or geodiversity, although is protected in other policies in the neighbourhood plan</li> <li>• Support for the rural economy</li> <li>• Protection of landscape and local character</li> <li>• Re-use of previously developed land</li> <li>• Protection of residential amenity</li> </ul>	Local Plan (Part One) policy ECON 3 allows for expansion of existing and new tourism related development that is a suitable size and scale for its location. Smaller scale development should be located within identified settlements, with major schemes in the urban area.

<p><b>Policy 13 – Blakemere Village</b></p>	<p>The policy allows for development of small scale tourism and leisure at Blakemere village, including limited food and drink as part of a mixed use solution. Development must be confined to the existing footprint and promote walking and cycling routes from the village.</p>	<ul style="list-style-type: none"> <li>• Support for the rural economy</li> <li>• Protection for views and character of the countryside</li> <li>• Promoting of other forms of transport, walking and cycling</li> <li>• Containing development on existing footprint</li> <li>• Could impact biodiversity or geodiversity, although is protected in other policies in the neighbourhood plan</li> </ul>	<p>Local Plan (Part One) policy ECON 3 allows for expansion of existing and new tourism related development that is a suitable size and scale for its location. Policy ECON 1 supports the creation of new job opportunities in a range of sectors. Policy STRAT 9 supports expansion of existing buildings to facilitate the growth of established businesses proportionate to the nature and scale of the site and its setting.</p>
<p><b>Policy 14 – Housing Mix and Type</b></p>	<p>Small scale residential development that meets a range of housing types to meet an identified need will be allowed, especially homes for first time buyers and the elderly along with dwellings that meet the needs of the less mobile. Conversion or sub-division of larger homes to smaller units will be allowed provided they do not substantially expand or alter the existing building.</p>	<ul style="list-style-type: none"> <li>• Increase the number of new homes</li> <li>• Support for the rural economy</li> <li>• Meeting the identified housing need</li> <li>• Could impact on residential amenity</li> </ul>	<p>Local Plan (Part One) policy SOC 3 supports a mix of housing tenures and size. This includes smaller family homes and a range of accommodation to meet the long term needs of older people.</p>
<p><b>Policy 15 – Affordable Housing</b></p>	<p>Affordable housing should meet local need in accordance with the Local Plan (Part One). Range of houses should meet policy 14. Affordable housing should be of the same quality as market housing and sufficient car parking should be provided.</p>	<ul style="list-style-type: none"> <li>• Meeting the affordable housing need</li> <li>• Meeting the local housing need</li> <li>• Support for the rural economy</li> </ul>	<p>Local Plan (Part One) policy SOC 1 requires 30 per cent affordable housing on scheme of three or more in the rural area. Market and affordable housing should be dispersed on the site and indistinguishable from each other.</p>
<p><b>Policy 16 – Location of Dwellings</b></p>	<p>The plan permits small scale residential development within the settlement boundary. The development should be walkable (especially elderly</p>	<ul style="list-style-type: none"> <li>• Protection of the greenbelt and countryside</li> <li>• Sustainable location with access to services and goods</li> </ul>	<p>The Local Plan (Part One) policy STRAT 2 promotes sustainable development in identified settlements. Policy STRAT 8 confirms Cuddington and Sandiway as a</p>

	accommodation), reflect the design, mix of houses and not disproportionate in scale.	<ul style="list-style-type: none"> <li>• Contributing to the housing need</li> <li>• Promotion of other forms of transport</li> </ul>	key service centre and the housing requirement of 200 dwellings in the plan period.
<b>Policy 17 – Design for New Development</b>	Design criteria for all development should be the very highest quality. Schemes should demonstrate they have considered the character assessment, responded to the local character, deliver appropriate density and plot sizes, layout, hierarchy of streets that are pedestrian friendly and delivering a strong network of blue and green infrastructure.	<ul style="list-style-type: none"> <li>• Promoting other forms of transport</li> <li>• Protecting local character and blue and green networks</li> <li>• Maintaining rural character and achieving a sense of place</li> </ul>	Local Plan (Part One) policy ENV 6 promotes high quality design and sustainable construction. This includes respecting the rural character and ensuring ease of movement and legibility, with priority for pedestrians and cyclists.
<b>Policy 18 – Eco-design and Energy Saving</b>	The plan will strongly support schemes which exceed the minimum standards to reduce carbon emissions through sustainable construction, future foreseeable technologies such as electric charging points and use of sustainable urban drainage. All schemes must consider the design that responds to its context.	<ul style="list-style-type: none"> <li>• Reducing the causes of climate change</li> <li>• Re-use of materials</li> <li>• Reducing air quality issues through the use of electric cars</li> <li>• Reduce the likelihood of flooding</li> </ul>	Local Plan (Part One) policy ENV 6 is concerned with sustainable construction including energy efficiency measures, mitigation of the effects of climate change and meeting nationally described standards for design and construction. Policy ENV 1 promotes water efficiency measures including implementation of sustainable drainage system.
<b>Policy 19 – Improved Pedestrian and Cycle Assess</b>	All developments will seek to encourage use of other forms of transport such as public transport, walking and cycling. New safe links to local services and public transport will be included in the design of new developments. New highway infrastructure should include safe crossing points. Developments that look to improve defined routes will be supported.	<ul style="list-style-type: none"> <li>• Promoting other forms of transport</li> <li>• Safe links between services and public transport</li> <li>• Reducing the need for a car</li> </ul>	The Local Plan (Part One) policy STRAT 10 promotes sustainable transport options such as public transport, cycling and walking routes.

<p><b>Policy 20 – Parking Standards</b></p>	<p>All new residential development will need to provide new on-site parking. The development must improve the parking problem and not lead to an increase of on street parking. Visitor parking should also be considered. Other forms of development need to demonstrate they have met the requirements in the Parking SPD.</p>	<ul style="list-style-type: none"> <li>• Increase of car use</li> </ul>	<p>Local Plan (Part One) policy STRAT 10 requires new development to provide adequate levels of car and cycle parking. Additional parking should support the vitality and viability of the town centre, whilst minimising traffic congestion.</p>
<p><b>Policy 21 – Traffic impact of New Development</b></p>	<p>All applications should consider the traffic impact and aim to improve road safety and increase other forms of transport. New development that will cause a negative impact on key junctions will be refused. Small schemes that look to alleviate traffic problems will be looked on favourably. Schemes will have to demonstrate how they are complied with the travel planning spd.</p>	<ul style="list-style-type: none"> <li>• Increase in other forms of transport</li> <li>• Improve air quality by reducing standing vehicles.</li> </ul>	<p>Local Plan (Part One) policy STRAT 10 requires new development to be accommodated within the existing or proposed highway network. Development that will generate significant amounts of movement will require a Transport Assessment and Travel Plan.</p>

## Appendix 2: Comments received during consultation on the screening opinion

Agency	Date Consulted	Response
Natural England	18 <sup>th</sup> May 2017	Natural England is in agreement with the Screening Statement, as long as the proposed policies of the Neighbourhood Plan do not alter the strategic policy framework assessed in the Local Plan Part One Habitats Regulation Assessment (HRA) Screening Report and Strategic Environmental Assessment (SEA) Report then a separate HRA and SEA will not be required. If this situation changes then a separate SEA and HRA Screening will be required and Natural England would wish to be consulted.
Environment Agency	18 <sup>th</sup> May 2017	The Environment Agency consider that the proposed neighbourhood plan will not give rise to any significant environmental effects within their remit. They had not comments on the conclusion that a Strategic Environment Assessment is not required in this instance.
Historic England	18 <sup>th</sup> May 2017	Historic England agree with the assessment that the Cuddington Parish Neighbourhood Plan is unlikely to result in significant impacts on the historic environment sufficient to require an SEA.